

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ATLANTIC SPECIALTY INSURANCE)
COMPANY, as subrogee of Henry Brauer,)
Plaintiff,)

v.)

MARBLEHEAD TRADING COMPANY)
and POWERPRODUCTS SYSTEMS, LLC,)
Defendants.)

Case No.: Case 1:24-cv-11646-WGY

JOINT FED. R. CIV. P. 26(f) REPORT AND PROPOSED SCHEDULING ORDER

Pursuant to this Court's Notice of Rule 16(b) Scheduling Conference dated September 13, 2024 (ECF No. 15), and Fed. R. Civ. P. 26(f), after conferring, the Plaintiff, Atlantic Specialty Insurance Company, as subrogee of Henry Brauer, and the Defendant, Marblehead Trading Company, and the Defendant, PowerProducts Systems, LLC (collectively, the "Parties"), hereby submit the following joint report:

Proposed Discovery Plan and Motion Schedule

1. Initial Disclosures.

The Parties will serve initial disclosures on or before October 21, 2024.

2. Subjects, Timing, and Phasing of Discovery and Timing of Dispositive Motions.

The Parties anticipate discovery concerning, but not limited to, the topics raised in the Plaintiff's Complaint and any topics raised in the Defendants Answers, including any affirmative defenses.

At this time, the Parties do not believe that conducting discovery in phases would enhance the opportunity for early resolution of this case.

As to the timing of discovery and dispositive motions, the Parties propose the following schedule:

Event	Proposed Date
Deadline to Amend Pleadings	November 1, 2024
Deadline for Completion of Fact Discovery	May 1, 2025
Deadline for Designation of Plaintiff's Affirmative Trial Experts and Disclosure of Expert Reports	June 1, 2025
Deadline for Designation of Defendant's Affirmative Trial Experts and Disclosure of Expert Reports	July 13, 2025
Deadline for Designation of Rebuttal Trial Experts and Disclosure of Expert Reports	August 1, 2025
Depositions of Expert Witnesses	August 1, 2025 through September 30, 2025
Deadline for Dispositive Motions	October 31, 2025

3. Limitations on Discovery.

At this time, the Parties do not anticipate the need to restrict discovery beyond the limits imposed by the Federal Rules of Civil Procedure and this Court's Local Rules.

4. Other Discovery Orders.

The Parties do not anticipate any additional discovery orders at this time.

Reassignment to Magistrate Judge

The Parties do not want to reassign this matter to a Magistrate Judge.

Certification

Plaintiff – Atlantic specialty Insurance Company a/s/o Henry Brauer

The Plaintiff has filed a Certification pursuant to L.R. 16.1(d)(3).

Defendant – Marblehead Trading Company

The Defendant will file a Certification pursuant to L.R. 16.1(d)(3) forthwith.

Defendant – Power Products Systems, LLC i/s/h/a PowerProducts Systems, LLC

Defendant will file a Certification pursuant to L.R. 16.1(d)(3).

Respectfully submitted,
Plaintiff,
Atlantic Specialty Insurance Company,
as subrogee of Henry Brauer,
By its attorney,

/s/ Matthew D. Rush

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Respectfully submitted,
Defendant,
Marblehead Trading Company,
By its attorney,

/s/ Daniel C. Kelley

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Respectfully submitted,
Defendant,
Power Products Systems, LLC
i/s/h/a PowerProducts Systems, LLC
By its attorneys,

/s/ Shrina B. Faldu

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/s/ Melissa M. Modzelewski

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Dated: September 27, 2024

CERTIFICATE OF SERVICE

I do hereby certify that on this 27 day of September, 2024, this document filed through the CM/ECF Electronic Filing system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and first-class mail or email copies will be sent to those indicated as non-registered participants (if any).

/s/ Matthew D. Rush
Matthew D. Rush

Dated: September 27, 2024